

Hawaii Department of Agriculture - Pesticides Branch
2nd Quarter Report; EPA Region IX
January - March 2017
May 5, 2017

ADMINISTRATIVE:

Attended Out of State Travel by Staff:

- February 15 – 16, 2017; Pacific Southwest Section AOAC International 2017 Annual Meeting; Berkeley, CA. (J. Chen - Chemist)

PROGRAM HIGHLIGHTS:

Personnel:

- Mr. C. Westergard; was hired as an Environmental Health Specialist (EHS) III on Hawaii Island.
- Ms. B. Wold; joined the Oahu enforcement section as an EHS II and is undergoing inspector training for her State and Federal inspector's credentials.
- Ms. C. Zimmerman; Registration/Licensing section supervisor resigned to pursue other job opportunities.
- Ms. C. Berela; is a temporary hire in the education/certification section.
- Mr. J. Dang; is a temporary hire in the education/certification section.
- Ms. R. Lunasco, EHS II; received her State inspector credentials.

Legislative Bills:

Twenty six bills relating to pesticides were introduced in the 2017 legislative session. Of these, 4 are still alive in the legislature and are listed below:

Bill No:	Title:	Description:
HB 790 HD2	Relating to Environmental Protection	Establishes disclosure and public notification requirements for outdoor application of pesticides in various sensitive areas or by large-scale, outdoor commercial agricultural operations.
HB889 HD1	Relating to Pesticides	Increases the pesticide licensing fee and requires annual renewal of the license. Amends authorized uses for moneys in the pesticide use revolving fund. Requires memorandum of understanding between the department of agriculture and the University of Hawaii.
SB778 SD1	Relating to Pesticides	Makes an appropriation to implement the recommendations of the joint fact finding study group's report on pesticide use by large agribusinesses on Kauai.
SB804 SD1	Relating to Hawaii Pesticides Law	Increases the amount of moneys from the pesticide revolving fund that the Department of Agriculture may retain to carry out its statutory mandate.

Consulting Services.

Meetings continue between DataHouse Consulting, Inc. and the Pesticides branch staff.

- The Education Section is built and in use by staff. Dynamic portal for education is complete and in use by applicators to sign up for certification exams and check accumulated recertification credits.
- Enforcement mobile and back office sections are built with the beta testing completed. Oahu enforcement staff will begin to conduct in the field inspections utilizing mobile devices.
- The case development portion is built and training is complete.

- The RUP sales portal is almost complete. This portal allows dealers to easily input RUP sales as needed and will create a central database that staff can use and easily access for pertinent information. This reporting method will help streamline the annual posting of RUP sales on the HDOA pesticide website.
- The Registration portal is still under construction.

US Geological Service (USGS) Grant.

The HDOA provided \$500,000 to the USGS to conduct water sampling for pesticide detection in areas not previously sampled in the 2013-2014 DOH/HDOA pesticide sampling pilot project. USGS staff provided updates on sites where water sampling devices were deployed on Kauai and Oahu and where future sites for additional deployment are under consideration.

Development of Managed Pollinator Protection Plan (MP3)

A very limited amount of time was spent on the development of the MP3 as other work demands are taking precedence.

Registration/Licensing:

Licensing:

A total of 224 licenses were processed during this quarter with fees collected totaling \$47,850. New licensed products were for 180 general use, 3 federal restricted use and 4 state restricted use. There were license renewals for 37 general use products.

Special Local Need (SLN) registrations: Four issued this quarter.

- HI-160005 – Ethephon 2 SL Growth Regulator – for use in macadamia nut production.
- HI-120001 – HBT-G4U200 with Garlon 4 Ultra for weed management by UH NREM staff.
- HI-110001 – DuPont Assure II Herbicide for use in corn grown for seed production.
- HI-110002 – Admire Pro Systemic Protectant – for use in corn grown for seed production.

19 SLNs are active this quarter.

SLNs expiring his period:

- HI-020005. Goal 2XL Herbicide – Eucalyptus Plantings.
- HI-020010. Goal 2XL Herbicide – Banana Plantings.

Emergency Exemption: None issued or active this quarter.

State Experimental Use Permits (EUP) : None issued this quarter.

EUP applications pending:

TMP – 16003 – Altosid for use to control little fire ant near waterways. Working on SLN.

TMP – 16004 – CFT Legumine Fish Toxicant for use to control tilapia in anchialine ponds. Under discussion.

Groundwater Reviews/New Actives status: None conducted this quarter.

Endangered Species Review Requests (Section 7): None requested.

Chemical Analysis Laboratory (CAL):

A total of 375 tests were run for 56 samples pertaining to 10 enforcement cases. Tests were finished by both GC/MS and LC/MS equipment.

Another 8 tests were run for 8 samples pertaining to 1 batch of FERN PT samples. Samples were finished by utilizing the LC/MS equipment.

The HDOA and California Department of Food & Agriculture (CDFA) were unable to reach an agreement on language pertaining to an MOU for CDFA to provide backup chemical analysis work. HDOA then looked at options with the State of Nevada Department of Agriculture's Chemistry Lab who reported that they do not have a program set up to charge fees for analytical work.

The State of Montana Department of Agriculture Lab does have an analytical lab program to perform chemical residue analysis on a fee basis. We will pursue this option. Finding a second lab is part of the pesticides branch backup plan should our CAL equipment breakdown and repair work cannot be completed in a timely manner.

A representative from Thermo Scientific provided preventive maintenance on CAL's LC/MS equipment purchased in Oct. 2015. The LC/MS is the major equipment used to perform lab analysis on environmental samples.

Education/Certification:

Applicator Certification and Training Work plan:

- A total of 21 statewide certification examination sessions were held.
- One hundred twenty-two (122) examinees were tested in private applicator or commercial applicator categories.
- Out of these examinees, 58 individuals became newly certified applicators and another 21 individuals were re-certified in their appropriate work profession categories.
- 33 certified applicators collectively earned 182 recertification credits by taking quizzes.
- 53 CET training classes were held and attended by approximately 603 certified applicators. These attendees collectively earned 802 recertification credits.
- Discussions continue with the University of Hawaii - College of Tropical Agriculture & Human Resources (CTAHR) Cooperative Extension Service to have county extension agents conduct annual federal WPS training with farmers. HDOA is proposing to initiate a "train the trainer" program with extension agents.

Worker Protection Standard training:

- WPS training provided to:
 - Landscapers hosted by Pacific Ag Sales and Services (156 indiv)
 - East Oahu Farm Bureau (25 indiv)
 - Waimanalo Nursery Association (30 indiv)

Other trainings/technical assistance provided by Pesticide Education staff included topics on:

- EPA Train the Trainer presentation (18 indiv)

Consultative Visits:

- Gay & Robinson Ranch; pesticide use on ornamentals, right of ways, structural pest control, certification and new changes to the WPS.
- Pioneer Hi Bred; review of new changes to the WPS.
- Kawamata Farms; label interpretations for crop grown in greenhouses.

Enforcement Highlights. (Cases may be are still open)

Oahu: Nine complaints were reported during this quarter of which five were odor related.

- Complainant alleged that neighbor kill complainant's coconut tree. No applicator could be identified.
- In two complaint cases, either rotting vegetation or fumes from a building being painted were identified as source of odors.
- A complainant reported strong odors at his residence. Two farms were identified that were upwind from the complainant's home and investigations conducted with both farms. There were suspected violations at each farm.
- A complainant reported death of her ducks, chicken and goose. No investigation conducted as the complainant failed to meet with inspectors or return phone calls.
- A complaint was generated concerning the frequency of applications made at a residence by a pest control operator. An investigation was initiated.
- The Department of Health Sanitation Branch reported violative crop residue on an herb crop. An investigation was initiated.
- A complainant reported a pesticide like odor that occurs on a nightly basis. The complainant has not returned calls from HDOA.
- The State Hazard Evaluation and Emergency Response (HEER) office referred a complainant to HDOA about deformed duck eggs and illness in family. No applicator could be identified.

Maui/Molokai: Eight pesticide related complaints were reported during this period.

- A plant nursery owner in Paia filed a complaint of alleged damage to nursery fern plant stock caused by volatilization of pesticides in the air. Individual has filed similar complaints in the past. A check with another fern nursery grower reported that his fern plants exhibited similar stress due to shorter daylight and cooler temperatures of winter.
- A second complaint involved a pest control operator applying a pesticide product which its label states "*Use in residential settings is prohibited.*" An investigation was initiated.
- There were three follow-up investigations to recent State of Hawaii, Dept. of Health Raw Agricultural Commodity sampling results. The sampling identified three farms with produce that contained illegal residues of pesticides. There are suspected violations of use inconsistent with pesticide labels and the federal worker protection standard.
- A complainant stated that in the past she has called the police a number of times on non-pesticide related issues with her neighbor. Swab samples taken from complainant's residence tested negative for the pesticides recently used by the neighbor and for the pesticide found in the neighbor's storage.
- A complaint and investigation was initiated due to a report of numerous pesticide applications in a residence for bird mites over a short period of time.
- HDOA staff noted and initiated an investigation on the recording of a restricted-use pesticide sales to an individual who had an expired certification card.

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Kauai: One complaint was filed during this quarter:

- Dean Higuchi of EPA Region IX reported to HDOA of a pesticide exposure incident involving agricultural workers at Syngenta Hawaii, LLC. HDOA conducted an investigation along with a representative from EPA Region IX. The case was forwarded to EPA Region IX for enforcement action.

Hawaii Island: Two complaints reported during this quarter:

- The same individual filed 2 separate complaints (different days) of unknown person(s) spraying Roundup in the pasture behind his house in a way that affected complainant's health. Environmental samples were taken and lab results were negative.

